S.B. CR.MISC.BAIL APPL.NO.7629/2007.

Ramesh Vs. State

Date of order : 31/10/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Dheeraj Tripathi for the petitioner.
Shri Harshvardhan Nandvana P.P. for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioner has argued that the allegation against the petitioner is for offence under Section 16/54 of the Raj.Excise Act for having possessed 40 bottles of illicit liquor. Petitioner was arrested on 18/10/2007 and that no other criminal case except the present one has ever been registered against him. Learned counsel for the petitioner has argued that no further recovery is to be made at the instance of the petitioner and the investigation of the case is almost over. Further detention of the petitioner therefore is no longer required for any purpose.

Learned Public Prosecutor has opposed the bail application.

Without expressing any opinion on the merits of the case but taking into consideration the aforesaid arguments, I deem it appropriate to enlarge the petitioner on bail during trial.

In the result, this bail application u/S.439 is allowed and it is directed that petitioner Ramesh S/o Ghanshyam shall be released on bail in F.I.R. No.42/2007 registered at Excise Police Station Kotputli for offence under Section 16/54 of the Raj.Excise Act subject to his furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

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